

## **DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled "RECLOSABLE FASTENER PROFILE SEAL AND METHOD OF FORMING A FASTENER PROFILE ASSEMBLY" (Attorney Docket No. 21276-9044), the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

And I hereby appoint JOSEPH A. GEMIGNANI, (Reg. No. 19,482), ROBERT E. CLEMENCY (Reg. No. 19,287), DAVID B. SMITH (Reg. No. 27,595), GLENN A. BUSÉ (Reg. No. 24,217), FRED WIVIOTT (Reg. No. 19,158), DAVID R. PRICE (Reg. No. 31,557), BAYARD H. MICHAEL (Reg. No. 15,974), CASIMIR F. LASKA (Reg. No. 30,862), DAVID L. DEBRUIN (Reg. No. 35,489), TIMOTHY M. KELLEY (Reg. No. 34,201), BILLIE JEAN STRANDT (Reg. No. 36,940), THOMAS A. MILLER (Reg. No. 36,871), KEVIN P. MORAN (Reg. No. 37,193), GERALD L. FELLOWS (Reg. No. 36,133), EDWARD R. LAWSON (Reg. No. 41,931), JAMES A. COLLINS (Reg. No. 43,557), DANIEL S. JONES (Reg. No. 42,697), ANDREW R. PERET (Reg. No. 41,246), RANDALL W. FIELDHACK (Reg. No. 43,611), CHRISTOPHER B. AUSTIN (Reg. No. 41,592), GRADY J. FRENCHICK (Reg. No. 29,018), TERESA J. WELCH (Reg. No. 33,049), LINDA BLAIR MEIER (Reg. No. 39,769), PAUL F. DONOVAN (Reg. No. 39,962) and KAREN B. KING (Reg. No. 41,898), Michael Best & Friedrich LLP; and ROBERT S. BEISER (Reg. No. 28,687), WITOLD A. ZIARNO (Reg. No. 39,888), and W. DENNIS DREHKOFF (Reg. No. 27,193), Michael Best & Friedrich (Illinois), and each or any of them, my attorneys or agents, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

ADDRESS ALL COMMUNICATIONS IN OR PERTAINING TO THIS APPLICATION TO:

Robert S. Beiser  
MICHAEL BEST & FRIEDRICH LLP  
100 East Wisconsin Avenue  
Milwaukee, WI 53202-4108

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are

punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first joint inventor:

Donald K. Wright

Residence:

3750 Viola Lane, Murphysboro, Illinois 62966

Citizenship:

United States of America

Post Office Address:

Same as above

Inventor's signature:

Donald Wright

Date:

Oct. 4, 1999

Full name of first joint inventor:

Christopher L. Pemberton

Residence:

909 N. Market St., Marion, Illinois 62959

Citizenship:

United States of America

Post Office Address:

Same as above

Inventor's signature:

Christopher L. Pemberton

Date:

Oct 5, 1999

Full name of first joint inventor:

James K. Hankins

Residence:

602 W. Illinois Ave., Carterville, Illinois 62918

Citizenship:

United States of America

Post Office Address:

Same as above

Inventor's signature:

James K. Hankins

Date:

Oct. 5, 1999

Applicant or Patentee: Donald K. Wright et al.  
Serial or Patent No.: Unassigned  
Filed or Issued: Herewith

Attorney's Docket No. 21276-9044

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9 (d) and 1.27(b)) - INDEPENDENT INVENTOR**

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41 (a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled "RECLOSABLE FASTENER PROFILE SEAL AND METHOD OF FORMING A PASTENER PROFILE ASSEMBLY" described in

the specification filed herewith.

Application Serial No. \_\_\_\_\_, filed \_\_\_\_\_.  
 Patent No. \_\_\_\_\_, issued \_\_\_\_\_.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(e) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

no such person, concern, or organization  
 persons, concerns or organizations listed below\*

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

FULL NAME: Com-Pac International, Inc.  
ADDRESS: 800 Industrial Park Road, P.O. Box 2707  
Carbondale, IL 62902

INDIVIDUAL  SMALL BUSINESS CONCERN  NONPROFIT ORGANIZATION

FULL NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
 INDIVIDUAL  SMALL BUSINESS CONCERN  NONPROFIT ORGANIZATION

FULL NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
 INDIVIDUAL  SMALL BUSINESS CONCERN  NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earlier of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF INVENTOR:  
Donald K. Wright

Signature of Inventor

10-8-99  
Date

NAME OF INVENTOR:  
Christopher L. Pemberton

Signature of Inventor

10-8-99  
Date

NAME OF INVENTOR:  
James K. Hankins

Signature of Inventor

10-8-99  
Date

Applicant or Patentee: Donald K. Wright

Serial or Patent No.: Unassigned

Filed or Issued: Herewith

For: "Reclosable Fastener Profile Seal and Method of Forming a Fastener Profile Assembly"

Attorney's L

No.: 21276-9044

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9 (f) and 1.37(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am

the owner of the small business concern identified below:

an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: Com-Pac International, Inc.

ADDRESS OF CONCERN: 800 Industrial Park Road, P.O. Box 2707  
Carbondale, IL 62902

I hereby declare that the above identified small business concern qualified as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that: the number of employees of the concern, including those of its affiliate, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled "RECLOSABLE FASTENER PROFILE SEAL AND METHOD OF FORMING A FASTENER PROFILE ASSEMBLY" by inventor(s) Donald K. Wright, Christopher L. Pemberton, and James K. Hawkins, described in

the specification filed herewith.

Application Serial No. \_\_\_\_\_, filed \_\_\_\_\_.

Patent No. \_\_\_\_\_, issued \_\_\_\_\_.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

**NOTES:** Separate verified statements are required from each named person, concern or organization having rights to the invention attesting to their status as small entities. (37 CFR 1.27)

FULL NAME: Donald K. Wright

ADDRESS: 3750 Viola Lane, Murphysboro, Illinois 62966  
 INDIVIDUAL       SMALL BUSINESS CONCERN

NONPROFIT ORGANIZATION

FULL NAME: Christopher L. Pemberton

ADDRESS: 909 N. Market St., Marion, Illinois 62959  
 INDIVIDUAL       SMALL BUSINESS CONCERN

NONPROFIT ORGANIZATION

FULL NAME: James K. Hawkins

ADDRESS: 602 W. Illinois Ave., Carterville, Illinois 62918  
 INDIVIDUAL       SMALL BUSINESS CONCERN

NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28 (b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING:

Gregory S. Sprehe

TITLE OF PERSON OTHER THAN OWNER:

President

ADDRESS OF PERSON SIGNING:

800 Industrial Park Road, P.O. Box 2707, Carbondale, IL 62902

SIGNATURE

DATE 10-08-98